

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No. 16-23164-GLT
	:	Chapter 11
DAVID W. YURKOVICH,	:	
	:	Related to Dkt. Nos. 88, 89
<i>Debtor.</i>	:	
	:	Hearing: 12/21/17

ORDER

This matter came before the Court as a continued confirmation hearing to consider approval of the Debtor's *Disclosure Statement to Accompany Plan dated June 22, 2017* [Dkt. No. 88] and *Plan of Reorganization dated June 22, 2017* [Dkt. No. 89]. The Internal Revenue Service ("I.R.S.") filed an objection [Dkt. No. 94] to confirmation.

After a hearing on November 30, 2017 and for the reasons stated on the record, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. On or before **December 7, 2017**, the Debtor shall file an amended Schedule E/F to address the claim of NextWave Enterprise, LLC.
2. On or before **December 7, 2017**, the I.R.S. shall file a stipulation or consent order indicating it is no longer a creditor in this case.
3. On or before **December 7, 2017**, the Debtor shall submit a proposed confirmation order.
4. The confirmation hearings on the Debtor's *Disclosure Statement to Accompany Plan dated June 22, 2017* [Dkt. No. 88] and *Plan of Reorganization dated June 22, 2017* [Dkt. No. 89] are continued to **December 21, 2017 at 10:00 a.m.** in Courtroom A, 54th Floor, U.S. Steel Tower, 600 Grant St., Pittsburgh, Pa. 15219. If the parties timely comply with the items in ¶¶ 1–3, the Court will consider entering a confirmation order without further hearing.



gwf

Dated: November 30, 2017

GREGORY L. TADDONIO
UNITED STATES BANKRUPTCY JUDGE

Case administrator to mail to:

Debtor
Debtor's counsel
Mailing matrix
I.R.S.
U.S. Trustee

Imaged Certificate of Notice Page 3 of 4

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
David W. Yurkovich
DebtorCase No. 16-23164-GLT
Chapter 11**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: culy
Form ID: pdf900Page 1 of 2
Total Noticed: 40

Date Rcvd: Dec 01, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 03, 2017.

db +David W. Yurkovich, 35 Carson Street, Belle Vernon, PA 15012-1001
 sp #+David W. Yurkovich, Kraemer, Manes & Associates, LLC, U.S. Steel Tower,
 600 Grant Street, Suite 660, Pittsburgh, PA 15219-2703
 cr +John D. Carson, Inc., 1029 Forest Avenue, West Homestead, PA 15120-1118
 cr +United States of America Department of the Treasur, c/oOffice of U.S. Atty for W.D. of PA,
 U.S. Post Office & Courthouse, 700 Grant Street, Pittsburgh, PA 15219,
 U.S.A. 15219-1906
 acc +Wilke & Associates, LLP, 1721 Cochran Road, Suite 200, Pittsburgh, PA 15220-1002
 14280397 +Barclays Card, P.O. Box 13337, Philadelphia, PA 19101-3337
 14303673 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14280399 Caterpillar Financial, 2121 West End Ave., Nashville, TN 37203
 14356590 Caterpillar Financial Commercial Account Corporati, 2120 West End Ave, Nashville TN, 37203
 14280400 Chase Card, Card Member Services, PO Box 94014, Palatine, IL 60094-4014
 14298615 +Cintas, 320 Westec Drive, Mount Pleasant, PA 15666-2762
 14287076 +Citizens Bank N.A., 1 Citizens Drive Mailstop ROP15B, Riverside, RI 02915-3019
 14333115 +Deere Credit Inc., PO Box 6600, Johnston, IA 50131-6600
 14338745 +G. F. Allan, P.O. Box 2049, Buckhannon, WV 26201-7049
 14280404 Groff Tractor, 963 N. Center Avenue, New Stanton, PA 15672
 14315684 +Harley-Davidson Credit Corp., PO Box 9013, Addison, Texas 75001-9013
 14280405 John Deere Financial, 6400 NW 86th Street, PO Box 6600, Johnston, IA 50131-6600
 14280406 +John Deere Power Plan, P.O. Box 5328, 8402 Excelsior Drive, Madison, WI 53717-1909
 14298616 Lexus Financial, P.O. Box 3025, Coraopolis, PA 15108
 14280408 +Louis Ruscitto, 555 Sugar Camp Rd., Venetia, PA 15367-1130
 14298617 +NEPA, 33 Route 660, Mansfield, PA 16933-8865
 14280409 +Nextwave Enterprises, 5757 Blue Lagoon Dr., Miami, FL 33126-2615
 14280410 +Pearl Beta, 100 William Street, 9th Floor, New York, NY 10038-5056
 14280411 +RECO Equipment Inc., 20620 Route 19 North, Cranberry Twp, PA 16066-6001
 14298620 +SWPA, 322 North Shore Drive, Building 1B, Suite 223, Pittsburgh, PA 15212-5870
 14294854 +Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013,
 Addison, Texas 75001-9013
 14280412 +Wells Fargo, P.O. Box 997517, Sacramento, CA 95899-7517
 14297383 Wells Fargo Bank N.A.,, d/b/a Wells Fargo Dealer Services, PO Box 19657,
 Irvine, CA 92623-9657
 14280413 +Yellowstone Capital, 1 Evertrust Plaza, 14th Floor, Jersey City, NJ 07302-3088

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr E-mail/PDF: rmscedi@recoverycorp.com Dec 02 2017 01:39:01
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,
 Miami, FL 33131-1605
 14280396 +E-mail/Text: ally@ebn.phinsolutions.com Dec 02 2017 01:37:57 Ally Automotive Financing,
 PO Box 380901, Minneapolis, MN 55438-0901
 14301160 E-mail/Text: ally@ebn.phinsolutions.com Dec 02 2017 01:37:57 Ally Financial,
 PO Box 130424, Roseville MN 55113-0004
 14280402 +E-mail/Text: jstiller@clevelandbrothers.com Dec 02 2017 01:38:06
 Cleveland Brothers Equipment Co., 4565 William Penn Highway, Murrys ville, PA 15668-2016
 14280403 +E-mail/Text: bankruptcy.notices@hdfsl.com Dec 02 2017 01:38:32 Eaglemark Savings Bank,
 P.O. Box 22048, Carson City, NV 89721-2048
 14307719 E-mail/Text: cio.bncmail@irs.gov Dec 02 2017 01:38:02 Internal Revenue Service,
 P O Box 7346, Philadelphia, PA 19101-7346
 14283988 E-mail/Text: bnc-quantum@quantum3group.com Dec 02 2017 01:38:06
 Quantum3 Group LLC as agent for, Sterling Jewelers Inc, PO Box 788,
 Kirkland, WA 98083-0788
 14298618 +E-mail/Text: rfall@rrblaw.com Dec 02 2017 01:38:20 Raphael Ramsden & Behers, P.C.,
 1200 Frick Building, 437 Grant Street, Pittsburgh, PA 15219-6100
 14302883 +E-mail/Text: rfall@rrblaw.com Dec 02 2017 01:38:20 Raphael, Ramsden & Behers,
 437 Grant Street, Suite 1200, Pittsburgh, PA 15219-6100
 14301055 E-mail/PDF: rmscedi@recoverycorp.com Dec 02 2017 01:39:01
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
 Miami, FL 33131-1605
 14298619 +E-mail/Text: jennifer_morris@ryder.com Dec 02 2017 01:38:02 Ryder Transportation,
 P.O. Box 96723, Chicago, IL 60693-6723

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Citizens Bank, N.A.
 cr Toyota Lease Trust
 14280398* +Barclays Card, P.O. Box 13337, Philadelphia, PA 19101-3337
 14280401* Chase Card, Card Member Services, PO Box 94014, Palatine, IL 60094-4014

District/off: 0315-2

User: culy
Form ID: pdf900

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Total Noticed: 40

Date Rcvd: Dec 01, 2017

14280407 ##+Laurel Aggregates, 200 Lakewood Center, Suite 270, Morgantown, WV 26508-4457

TOTALS: 2, * 2, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 03, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 1, 2017 at the address(es) listed below:

Francis E. Corbett on behalf of Creditor John D. Carson, Inc. fcorbett@fcorbettlaw.com,
fcorbett7@gmail.com
James Warmbrodt on behalf of Creditor Toyota Lease Trust bkgroup@kmlawgroup.com
Jill Locnikar on behalf of Creditor United States of America Department of the Treasury,
Internal Revenue Service jill.locnikar@usdoj.gov,
patricia.fitzgerald@usdoj.gov;deborah.verrilla@usdoj.gov;caseview.ecf@usdoj.gov
Joseph S. Sisca, on Behalf of the United States Trustee by on behalf of U.S. Trustee Office
of the United States Trustee joseph.s.sisca@usdoj.gov
Keri P. Ebeck on behalf of Creditor Citizens Bank, N.A. kebeck@weltman.com,
jbluemle@weltman.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Robert O Lampl on behalf of Debtor David W. Yurkovich rol@lampllaw.com,
jschemm@lampllaw.com;jlacher@lampllaw.com;dfuchs@lampllaw.com;eslagle@lampllaw.com;neish51@gmail.
com;jcooney@lampllaw.com;rcooney@lampllaw.com;slampl@lampllaw.com;RossLampl@lampllaw.com
TOTAL: 7